

HOUSE BILL 673

By Maggart

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 16, Part 3, relative to the offense of
impersonation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-16-302, amended by deleting the
section in its entirety and substituting instead the following:

(a) It is an offense for any person who is not licensed to do so, to practice
or pretend to be licensed to practice a profession for which a license certifying
the qualifications of the licensee to practice the profession is required.

(b) It is an offense for any person to advertise, solicit, accept or receive
money, a fee or other thing of value to perform, or for performing, a service for
another knowing that:

(1) The person is not licensed or authorized by law to perform the
service; and

(2) The service is one that must be performed by a person
licensed or authorized by law to perform the service in order for it to be
lawful or valid.

(c)

(1) A violation of subsection (a) is a Class E felony.

(2) A violation of subsection (b) is a Class A misdemeanor,
punishable by fine only and restitution to the victim of the offense shall be
a part of any such sentence.

(d) Nothing in this section shall be construed as precluding a person who violates this section from also being prosecuted and convicted for theft based upon the same conduct.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.